

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MCI WORLDCOM COMMUNICATIONS,
INC. f/k/a WORLDCOM TECHNOLOGIES,
INC.,

Plaintiff,

v.

TUCOWS, INC. f/k/a INFONAUTICS
CORPORATION,

Defendant.

CIVIL ACTION

NO. 02-CV-4402

JOINT RULE 26(f) CONFERENCE REPORT

Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, counsel for plaintiff, MCI WorldCom Communications, Inc. f/k/a WorldCom Technologies, Inc. (“WorldCom”), and defendant, Tucows, Inc. f/k/a Infonautics Corporation (“Tucows”), submit this Joint Rule 26(f) Conference Report.

On February 11, 2003, the parties, by and through their attorneys, conferred by telephone with respect to the subjects set forth in Rule 26(f). Specifically, the parties agreed that no changes should be made in the timing, form, or requirements for mandatory disclosures under Rule 26(a). Pursuant to Rule 26(a), the parties shall serve their mandatory disclosures within fourteen (14) days of the Rule 26(f) conference.

The parties further agreed that discovery will be needed on the facts and allegations set forth in the Complaint as well as Tucows’ defenses to the allegations in the Complaint.

The parties have been unable to agree on a discovery cut-off in this matter. Plaintiff requests that the discovery cut-off should be set for one hundred twenty (120) days after the conference currently scheduled for March 6, 2003, which would be approximately July 7, 2003.

Defendant requests that the discovery cut-off should be set for one hundred eighty (180) days after the conference currently scheduled for March 6, 2003, which would be approximately September 8, 2003.

The parties agree that there is no need to conduct discovery in phases. It is not yet known whether experts will be called in this case. The parties propose expert deadlines be set as follows: plaintiff's expert report shall be due fifteen (15) days after the discovery cut-off in this matter; defendant's expert report shall be due thirty (30) days after the discovery cut-off in this matter.

At this stage of the proceedings, the parties are not aware of any other orders that should be entered by the Court under Rule 26(c) or under Rule 16(b) and (c).

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